

Remarks

Claims 1-14 and newly added claims 22-25 are pending in the above-identified application. Claims 1-14 were rejected under 35 U.S.C. § 103(a). Support for the above claim amendments is found in the specification and drawings, e.g. Figure 2. Favorable reconsideration is requested.

Claim Rejections - 35 U.S.C. §103

MPEP §706.02(j) states: "To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

MPEP §2143.01 states: "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved, as a whole would have suggested to those of ordinary skill in the art. In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

The Examiner rejected claims 1-14 under 35 U.S.C. 103(a) as being obvious based on Broulik et al. (U.S. Patent 6,323,881) in view of Graham (Introduction to HTML). Applicant respectfully traverses the rejections and seeks withdrawal of the rejections resulting in allowance of the application.

Claim 1 is directed to a method implemented by a server. First information having a first instruction, names and location indicators are received at the server to execute a target

program that is unsupported by a server application. The names identified the server application and target program that are both located on the server. The location indicators serve to locate the server application and target program. The name of the target program is in a format not understood by a supported program resident on the server. A second instruction in the supported program resides on the server, converts the name of the target program into a format understood by the supported program, and causes execution of the target program. The second instruction is based on the first instruction wherein the supported program is supported by the server application.

Broulik is directed to a Web based GUI server that provides an interface to craft users in a telecommunication network. If the craft user generates a command request, a Common Gateway Interface (CGI) task 44 converts the request into an appropriate application call to the telecommunication application 54 and gets the application reply data. The reply data are converted into an HTML file and sent back through the server 30 to the browser on the craft user's PC. See Broulik, column 5, lines 25-31. It was acknowledged in the Office Action that Broulik did not teach that the first information included names and location indicators where the names identified the server application and target program, and location indicators serve to locate the server application and the target program.

Graham is relied upon as teaching the first information having a name and location indicator to identify the server application and its location (sections 8.1 and 9.1). It is also relied upon as teaching the use of CGI programs to act as gateways between the HTTP server and a database or local programs (section 9.3). In section 8.1 a general form of URL is given: `http://some.site.edu/cgi-bin/foo?arg1+arg2+arg3` in which the "cgi-bin" string indicates a special reference to programs to be executed by the server. In section 9.1 an example is given for conducting a search for a name contained in a directory of names, where the example is: `http://www.utoronto.ca/cgi-bin/srch-example`. In both of these examples it is clear that the information received as part of the URL statement is readily understood by the server application and requires no format conversion in order to execute an associated script or program; see Graham 9.1.1 (1) – Server-side Script. and note "echo Content-type: text/html" line defines native html usage.

Neither Broulik nor Graham provides a teaching in which a conversion of the format of the name of the target program is required before the target program can be executed. Therefore, claim 1 is not obvious based on the applied references considered individually, or in combination.

Claim 2 further recites the step of parsing the received names to identify the name of the target program. Claim 3 further recites the step of converting character codes representing the name of the target program as received by the server application into ASCII characters. Claim 4 further recites the step of identifying a directory location of the target program in the server based on the ASCII characters. These additional recitations and limitations further patentably distinguish over the applied art.

Independent apparatus claim 8 is believed to be patentable for similar reasons discussed above with regard to claim 1.

Dependent apparatus claims 9-11 contain limitations similar to those of claims 2-4, and are believed to patentably distinguish over the applied art.

Applicants respectfully submit that the applied references, taken singly or in combination, assuming, arguendo, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention. Applicants have discussed herein one or more differences between the cited prior art, and the claimed invention with reference to one or more parts of the cited prior art. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of cited prior art correspond to the claimed invention.

Reconsideration and withdrawal of all rejections is therefore respectfully requested. Furthermore, in view of the above remarks, allowance of all pending claims is respectfully requested.

If a telephone conference would advance the prosecution of the subject application, the Examiner is invited to contact applicant's undersigned attorney.

Respectfully submitted,



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